

Amendment No. 3 to SB1945

Stevens
Signature of Sponsor

AMEND Senate Bill No. 1945

House Bill No. 1946*

by deleting the effective date section and substituting the following as appropriately designated sections:

SECTION __. Tennessee Code Annotated, Section 13-7-602, is amended by deleting subdivision (9) and substituting:

(9) "Transferred" means that an interest in real estate was conveyed on or after May 17, 2018, and does not include a conveyance of real estate resulting from:

(A) The creation or dissolution of a tenancy by the entirety by the conveyance from one (1) spouse to the other;

(B) A result of a domestic settlement decree, domestic decree, or a deed that adjusts the property rights between divorcing parties; or

(C) A transfer by a transferor of real estate to a revocable living trust or a tenants by the entirety trust created by the same transferor or by a spouse of the transferor, or transfers by the trustee of a revocable living trust or a tenants by the entirety trust back to the same transferor or to the transferor's spouse; and

SECTION __. Tennessee Code Annotated, Title 13, Chapter 7, Part 6, is amended by adding the following as a new section:

(a) Notwithstanding § 13-7-603(a), a property that was used as a short-term rental unit prior to the effective date of this act, but after July 15, 2020, that was conveyed and the conveyance was exempt from the recordation tax pursuant to § 67-4-409(a)(3)(A)(i), (E), and (F), was not transferred for the purposes of § 13-7-603(a) and remains subject to §13-7-603(a).

(b) A provider of a short-term rental unit that was prohibited by a local government from operating after July 15, 2020, as a result of a conveyance described in subsection (a), is required to notify the local government on or before July 1, 2023, that the property is subject to this section.

(c) Upon notification pursuant to subsection (b), and upon verification by the local government that the property meets the requirements of this section, the local government shall not prohibit the continued use of the property as a short-term rental unit such time as the continued use of the property as a short-term rental unit is otherwise prohibited by this part.

(d) If a local government determines that a property is not subject to this section pursuant to subsection (c), then the provider may appeal the decision of the local government pursuant to § 13-7-604(d).

(e) This section is repealed at 12:01 a.m. on July 2, 2023.

SECTION __. SECTION 1 of this act takes effect July 1, 2022, the public welfare requiring it, and applies to agreements or contracts entered into on or after that date. The remaining sections of this act take effect July 1, 2022, the public welfare requiring it, and apply to interests in real property conveyed on or after July 15, 2020.